

APR 05 2013

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

No. CR 12-00614-RMW

STIPULATION AND ~~[PROPOSED]~~
ORDER CONTINUING HEARING DATE
AND EXCLUDING TIME UNDER THE
SPEEDY TRIAL ACT

Defendants.

Defendant Amit Gandotra, by and through Assistant Federal Public Defender Varell L. Fuller, and the United States, by and through Assistant United States Attorney Matthew A. Parrella, hereby stipulate that, with the Court's approval, the status hearing currently set for Monday, April 8, 2013, at 9:00 a.m., shall be continued to Monday, May 6, 2013, at 9:00 a.m.

The reason for the requested continuance is defense counsel requires additional time to effectively prepare. Specifically, defense counsel request additional time to review the supplemental discovery provided in this matter since the February 25, 2013, status date, and to conduct further investigation.

1 For the foregoing reasons, the parties jointly request and agree to an exclusion of the time
2 between April 8, 2013, and May 6, 2013, under the Speedy Trial Act, 18 U.S.C. § 3161(h)(7)(A)
3 and (B)(iv), for effective preparation by defense counsel.

4 IT IS SO STIPULATED.

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6 Dated: April 4, 2013

7 /s/
VARELL L. FULLER
Assistant Federal Public Defender

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9 Dated: April 4, 2013

10 /s/
MATTHEW A. PARRELLA
Assistant United States Attorney

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16 **[PROPOSED] ORDER**

17 GOOD CAUSE APPEARING, upon stipulation of the parties, IT IS HEREBY
18 ORDERED that the hearing currently set for Monday, April 8, 2013, shall be continued to
19 Monday, May 6, 2013, at 9:00 a.m.

20 THE COURT FINDS that failing to exclude the time between April 8, 2013, and May 6,
21 2013, would unreasonably deny counsel for Mr. Gandotra reasonable time necessary for
22 effective preparation, taking into account the exercise of due diligence. See 18 U.S.C. §
23 3161(h)(7)(B)(iv).

24 THE COURT FURTHER FINDS that the ends of justice served by excluding the time
25 between April 8, 2013, and May 6, 2013, from computation under the Speedy Trial Act outweigh
26 the interests of the public and the defendants in a speedy trial.

1 THEREFORE, IT IS HEREBY ORDERED that the time between April 8, 2013, and
2 May 6, 2013, shall be excluded from computation under the Speedy Trial Act, 18 U.S.C. §
3 3161(h)(7)(A) and (B)(iv).

4 IT IS SO ORDERED.

5 Dated: 4/4/2013


6 THE HONORABLE RONALD M. WHYTE
7 United States District Court Judge
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